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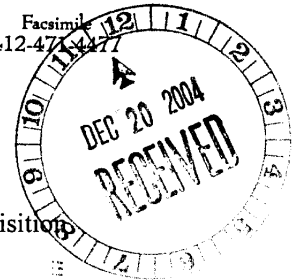
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December 15, 2004

Re: STB Finance Docket No. 34486- Ohio Valley Railroad Company – Acquisition
and Operation Exemption – Harwood Properties, Inc.

Hon. Vernon A. Williams
Secretary, Surface Transportation Board
Mercury Bldg., #711
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

DEC 20 2004

Part of
Public Record

Dear Secretary Williams:

Enclosed for filing please find the original and ten copies of supplemental evidence filed on behalf of Ohio Valley Railroad Company ("OVR") in the above captioned proceeding. The evidence in question is a copy of the Quit-Claim Deed dated March 31, 2000 from Evansville Terminal Company to Indiana Southwestern Railway Company ("ISW") by means of which ISW obtained its current operating right of way from Evansville Terminal Company. OVR has stated in its pleadings before the Board that it is the successor in interest to the Evansville Terminal Company with respect to its rail facilities located at Harwood Yard and that it is the successor in interest to a track easement for direct access to CSX Transportation, Inc. granted by Evansville Terminal Company to Mid-America Locomotive and Car Repair, Inc. The ISW deed submitted herewith was only produced by ISW on December 8, 2004 in a proceeding in the Superior Court of Vanderburgh County, IN.

The ISW deed indicates clearly that the property purchased by ISW was subject to and specifically excluded property under a purchase agreement for Harwood Yard dated June 29, 1996 by and between the Evansville Terminal Company and Mid-America Locomotive and Car Repair, Inc. The property acquired by Mid-America Locomotive and Car Repair, Inc. from Evansville Terminal Company was subsequently conveyed to Harwood Properties, Inc. and assigned to Ohio Valley Railroad Company by Harwood Properties, Inc. The ISW deed establishes that operating rights and properties acquired by ISW from Evansville Terminal Company were subject to the CSXT direct interchange rights conveyed by Evansville Terminal Company to OVR's predecessors in interest.

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Based on this additional evidence which establishes that ISW's acquisition and ownership of the operating right of way and tracks adjacent to OVR's rail facilities in Harwood Yard are subject to OVR's right to direct interchange with CSXT, OVR respectfully requests that in resolving the issues currently pending in this docket the Board confirm OVR's rights of direct interchange with CSXT at Harwood Yard over the tracks of ISW and supplement OVR's notice of exemption accordingly.

Very truly yours,

VUONO & GRAY, LLC

A handwritten signature in dark ink, appearing to read "Richard R. Wilson", with a long horizontal flourish extending to the right.

Richard R. Wilson, Esq.
Attorney for Ohio Valley Railroad Company
and Mid-America Locomotive and Car
Repair, Inc.

RRW/bab
Enclosure
xc: Office of Proceedings
Louis Gitomer